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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/645,208

Applicant(s)

TUOMELA ET AL.

Examiner

Marisol Figueroa

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-5 and 7-16 have been considered but are moot in view of new ground(s) of rejection.
2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, this action is made Final.

Claim Rejections - 35 USC § 103:

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 2, 4, 7, 10-12, and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over APPELMAN (US 7,031,698) in views of GOSS et al. (US 2002/0137498) and CARR et al. (US 6,091,948).

Regarding claim 1, Appelman discloses a method for redirecting terminal communications, the method comprising:

establishing a communication link with a terminal; receiving, through the established communication link, information identifying at least one of a user or the terminal (col. 5, line 1-col. 6, lines 1-52; a mobile communication device (i.e., terminal) establishes a communication link with a cradle when placed in the cradle, when the cradle detects the physical presence of the mobile communication device it determines the a unique number assigned to a cellular telephone (i.e., information identifying the terminal));

identifying, based at least in part on the received information, second information (col. 5, line 64-col. 6, lines 1-23; then the cradle access the appropriate forwarding information (i.e., identifying second information)).

But, Appelman does not particularly disclose identifying information regarding a period during which the terminal is to be off or without service.

However, Goss teaches identifying information regarding a period during which a terminal is to be off or without service (paragraphs [0011], [0026]-[0030]; Goss teaches a call forwarding system in which a user of a mobile unit can specify to the service provider forwarding numbers to which calls may be forwarded during the periods of time the mobile unit is not in service, for example, the user may specify that during business hours the call should be forwarded to the user's office phone and to the user's home phone during non-business hours; then the service provider access the forwarding conditions/information to determine how to route the calls directed to the mobile unit). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify Appelman to include the features of identifying information regarding a period which the terminal is to be off or without service, as suggested by Goss, since such a modification would provide the advantage of increasing the probability of reaching the user when the user's mobile terminal is not in service (paragraphs [0011] and [0028]).

But, the combination of Appelman and Goss does not particularly disclose generating a proposal based in at least in part on the received information (i.e., period during which the terminal is to be off or without service), wherein the proposal comprises one or more call forward targets for receiving communications directed toward the terminal during the period;

providing the proposal to the terminal; and receiving, from the terminal, an acceptance which designates at least one of the one or more call forward targets for receiving the communications directed toward the terminal during the period.

However, Carr teaches generating a proposal of call forward targets for receiving communications directed toward a terminal (i.e., wireless telephone) during the period the terminal is powered down, providing the proposal to the terminal; and receiving an acceptance from the terminal which designates at least one of the one or more call forward targets for receiving the communications directed toward the terminal during the period (Abstract, lines 1-21; col. 1, line 52-col. 2, lines 1-10; col. 4, lines 20-53; col. 5, lines 1-47; Carr teaches a system for activating the call forwarding feature of a wireless telephone during a wireless telephone power down sequence which automatically prompts the user for activation of call forwarding each time the user powers down the wireless telephone, furthermore, the user can select from a list of call forwarding telephone numbers or a suggested forwarding telephone number in order to activate and forward calls to the selected telephone number). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify the combination of Appelman and Goss to include the features of generating a proposal of call forward targets for receiving communications directed toward a terminal (i.e., wireless telephone) during the period the terminal is powered down, providing the proposal to the terminal; and receiving an acceptance from the terminal which designates at least one of the one or more call forward targets for receiving the communications directed toward the terminal during the period, as suggested by Carr, since such a modification would provide the user of the terminal the ability to select a call forwarding target from a list of call forwarding targets

available and activate call forwarding to the target preferred by the user when the terminal is powered down.

Regarding claim 2, the combination of Appelman, Goss, and Carr disclose the method according to claim 1, in addition Carr discloses wherein the at least one or more call forward targets is located outside a coverage area of the terminal (col. 1, lines 5-25; i.e., the user select a telephone number of a device outside the coverage area of the wireless network servicing the wireless telephone to which he/her desires to be reached).

Regarding claim 4, the combination of Appelman, Goss, and Carr disclose the method according to claim 1, in addition Appelman discloses wherein the terminal comprises means for performing mobile communication (col. 5, lines 1-11).

Regarding claim 7, the combination of Appelman, Goss, and Carr disclose the method according to claim 1, in addition Carr discloses further comprising directing a communication intended for the terminal to the at least one of the one or more call forward targets during the period (Abstract, lines 1- 21; col. 1, line 52-col. 2, lines 1-10; col. 4, lines 20-53; col. 5, lines 1-47; call forwarding is activated to the selected call forwarding telephone number when the wireless telephone is powered down). Therefore, it would have been obvious to a person to a person having ordinary skill in the art at the time of the invention, to modify the combination to include the features directing a communication intended for the terminal to the at least one of the one or more call forward targets during the period, as suggested by Carr, in order to increase the probability of reaching the user during the period that his/her terminal is powered down.

Regarding claim 10, the combination of Appelman, Goss, and Carr disclose the method according to claim 1, in addition Goss discloses further comprising automatically deactivating

redirection to the at least one of one or more call forward targets if the terminal is switched on or after a predetermined time (paragraph [0011], [0040]). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify the combination to include the features of deactivating redirection to the at least one or more call forward targets if the terminal is switched on or after a predetermined time, as suggested by Goss, in order to terminate the call forwarding service without requiring user intervention.

Regarding claim 11, Appelman discloses a system which comprises:

a communication system coupled to a first terminal via a communication link, wherein the first communication system is configured to receive, through the communication link, information identifying at least one of a user of the terminal or the terminal (col. 5, line 1-col. 6, lines 1-52; a mobile communication device (i.e., terminal) establishes a communication link with a cradle when placed in the cradle (i.e., communication system), when the cradle detects the physical presence of the mobile communication device it determines the a unique number assigned to a cellular telephone (i.e., information identifying the terminal));

identify, based at least in part on the received information, second information (col. 5, line 64-col. 6, lines 1-23; then the cradle access the appropriate forwarding information (i.e., second information)).

But, Appelman does not particularly disclose wherein the communication system identifies information regarding a period during which the terminal is to be off or without service.

However, Goss teaches a system that identifies information regarding a period during which a terminal is to be off or without service (paragraphs [0011], [0026]-[0030]; Goss teaches

a call forwarding system in which a user of a mobile unit can specify to the service provider forwarding numbers to which calls may be forwarded during the periods of time the mobile unit is not in service, for example, the user may specify that during business hours the call should be forwarded to the user's office phone and to the user's home phone during non-business hours; then the service provider access the forwarding conditions/information to determine how to route the calls directed to the mobile unit). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify Appelman to include the features of wherein the communication system identifies information regarding a period which the terminal is to be off or without service, as suggested by Goss, since such a modification would provide the advantage of increasing the probability of reaching the user when the user's mobile terminal is not in service (paragraphs [0011] and [0028]).

But, the combination of Appelman and Goss does not particularly disclose wherein the communication system generates a proposal based at least in part on the second information (i.e., period during which a terminal is to be off or without service), wherein the proposal comprises one or more call forward targets for receiving communication directed toward the terminal during the period; and provider the proposal to the terminal; and a home network of the terminal, wherein the home network comprises a first network element configured to receive a message from the terminal, wherein the message comprises an identification of at least one of the one or more call forward targets; and a second network element configured to redirect a communication intended for the terminal to the at least one of the one or more call forward targets during the period.

However, Carr teaches a system that generates a proposal of call forward targets for receiving communications directed toward a terminal (i.e., wireless telephone) during the period the terminal is powered down, providing the proposal to the terminal; and receiving an acceptance from the terminal which designates at least one of the one or more call forward targets for receiving the communications directed toward the terminal during the period (Abstract, lines 1- 21; col. 1, line 52-col. 2, lines 1-10; col. 4, lines 20-53; col. 5, lines 1-47; Carr teaches a system for activating the call forwarding feature of a wireless telephone during a wireless telephone power down sequence which automatically prompts the user for activation of call forwarding each time the user powers down the wireless telephone, furthermore, the user can select from a list of call forwarding telephone numbers or a suggested forwarding telephone number in order to activate and forward calls to the selected telephone number). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify the combination of Appelman and Goss to include the features of wherein the system generates a proposal of call forward targets for receiving communications directed toward a terminal (i.e., wireless telephone) during the period the terminal is powered down, providing the proposal to the terminal; and receiving an acceptance from the terminal which designates at least one of the one or more call forward targets for receiving the communications directed toward the terminal during the period, as suggested by Carr, since such a modification would provide the user of the terminal the ability to select a call forwarding target from a list of call forwarding targets available and activate call forwarding to the target preferred by the user when the terminal is powered down.

Regarding claim 12, the combination of Appelman, Goss, and Carr disclose the system according to claim 11, in addition Carr discloses wherein the at least one or more call forward targets is located outside the home network of the terminal (col. 1, lines 5-25; i.e., the user select a telephone number of a device outside the coverage area of the wireless network servicing the wireless telephone to which he/her desires to be reached).

Regarding claim 16, the combination of Appelman, Goss, and Carr disclose the system according to claim 11, in addition Goss discloses wherein the second network element is further configured to automatically deactivate redirection to the at least one or more call forward targets if the terminal is switched on (paragraph [0011], [0040]). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify the combination to include the features of wherein the second network element is further configured to automatically deactivate redirection to the at least one or more call forward targets if the terminal is switched on, as suggested by Goss, in order to terminate the call forwarding service without requiring user intervention.

5. **Claim 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over APPELMAN in views of GOSS et al., CARR et al., and RAITH (US 2002/0102974).

Regarding claim 3, the combination of Appelman, Goss, and Carr disclose the method according to claim 1, in addition Carr discloses wherein the communication link comprises a short-range wireless data transmission connection.

However, Raith teaches establishing a short-range data transmission connection between a terminal and a communication system (paragraphs [0007], [0026]). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify

the Appelman to include wherein the communication link comprises a short-range wireless data transmission connection, as suggested by Raith, since it is a standard technique to establish the physical presence of a mobile communication device.

6. **Claims 9, 13, and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over APPELMAN in views of GOSS et al., CARR et al., and BOYER et al. (US 2004/0102188).

Regarding claim 9, the combination of Appelman, Goss, and Carr disclose the method according to claim 1, but the combination does not particularly disclose wherein the second information comprises travel information regarding an airplane flight of the user of the terminal.

However, Boyer teaches identifying travel information regarding an airplane flight of a user of a terminal to forward calls to the user while on board an airplane (Abstract; paragraphs [0014]-[0020]). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify the combination to include identifying travel information regarding an airplane flight of the user of the terminal, as suggested by Boyer, in order to enable a user of a mobile communications device (i.e., terminal) to receive calls directed to the device while on board an airplane.

Regarding claim 13, the combination of Appelman, Goss, and Carr disclose the system according to claim 11, but the combination does not particularly disclose wherein the at least one of the one or more call forward targets comprises a satellite phone.

However, Boyer teaches forwarding calls from user of a mobile communications device (i.e., telephone, PDA, etc.) to an airplane telephone device (note that usually satellite phones are used in airplanes) while on board an airplane (Abstract). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify the combination

to include wherein the at least one of the one or more call forward targets comprises a satellite phone, as suggested by Boyer, in order to enable a user of a mobile communications device (i.e., terminal) to receive calls directed to the device while on board an airplane.

Regarding claim 14, the combination of Appelman, Goss, and Carr disclose the system to claim 13, but the combination does not particularly disclose wherein the second information comprises travel information regarding an airplane flight of the user of the terminal and further wherein the satellite phone is located on an airplane.

However, Boyer teaches identifying travel information regarding an airplane flight of a user of a terminal to forward calls to the airplane telephone device (note that usually satellite phones are used in airplanes) closest to the user while on board an airplane (Abstract; paragraphs [0014]-[0020]). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify the combination to include identifying travel information regarding an airplane flight of the user of the terminal and further wherein the satellite phone is located on an airplane, as suggested by Boyer, in order to enable a user of a mobile communications device (i.e., terminal) to receive calls directed to the device while on board an airplane.

7. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over APPELMAN in views of GOSS et al., CARR et al., and KIM (US 6,584,188).

Regarding claim 8, the combination of Appelman, Goss, and Carr disclose the method according to claim 7, but the combination does not particularly disclose wherein the communication is directed based in at least in part on a parameter indicated in the acceptance, wherein the parameter comprises at least one of a presence of audio in the communication, a

presence of pictorial content in the communication, a subject of the communication, a caller originating the communication, or a calling group originating the communication.

However, Kim discloses directing the communication based in at least in part on a parameter, wherein the parameter comprises at least one of a presence of audio in the communication, a presence of pictorial content in the communication, a subject of the communication, a caller originating the communication, or a calling group originating the communication (Abstract; col. 4, lines 16-32; the system uses caller id data to forward an incoming call to a predetermined location). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention, to modify the combination to include wherein the communication is directed based in at least in part on a parameter indicated in the acceptance, wherein the parameter comprises a caller originating the communication, as suggested by Kim, in order to determine how to process incoming calls according to the importance of the calls determined by the identification of the callers.

8. **Claim 5 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over APPELMAN in views of GOSS et al., CARR et al., and LINDBERG et al. (US 2003/0140145 A1).

Regarding claim 5, the combination of Appelman, Goss, and Carr disclose the method according to claim 1, but the combination does not particularly disclose wherein the terminal functions in an IP based multimedia system (IMS). However, Lindberg teaches that the introduction of IP technology multimedia services has increased the number of ways to communicate (P.0018). Therefore, a person of ordinary skill in the art would have been motivated to modify the combination to include a terminal that functions in an IP multimedia

system, as suggested by Lindberg, because an IP multimedia system provides the establishment of different types of communications, for example: text chat, speech, plain video telephony, etc.

Regarding claim 15, the combination of Appelman, Goss, and Carr disclose the system of claim 11, but the combination does not particularly disclose wherein the terminal is arranged to function in an IP based multimedia system (IMS). However, Lindberg teaches that the introduction of IP technology multimedia services has increased the number of ways to communicate (P.0018). Therefore, a person of ordinary skill in the art would have been motivated to modify the combination to include a terminal that functions in an IP multimedia system, as suggested by Lindberg, because an IP multimedia system provides the establishment of different types of communications, for example: text chat, speech, plain video telephony, etc.

Prior Art of Record

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) POLCYN (US 6,058,415) – System and method for integration of communication system with computer-based information systems.

(b) FOURNIER et al. (US 2003/0161452) – Telephone correspondent reception system for unavailable subscriber.

(c) HORRER (US 6,321,084) – Method for setting up a telecommunication link to persons in closed facilities, such as passenger transport means, as well as a telecommunication system and network.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marisol Figueroa whose telephone number is (571) 272-7840. The examiner can normally be reached on Monday Thru Friday 8:30 a.m. - 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on (571) 272-7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marisol Figueroa/
Examiner, Art Unit 2617

/VINCENT P. HARPER/
Supervisory Patent Examiner, Art Unit 2617